

REMARKS

Please reconsider the present application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering the present application and indicating that claims 3, 5, 6, 8-16, 19, and 21 contain allowable subject matter.

I. Disposition of Claims

Claims 1-21 were pending in the present application. By way of this reply, claims 1, 3, 5, 7-9, 13, 17, 19, and 21 have been amended, claims 4, 6, 10-12, 14-16, and 20 have been canceled without prejudice or disclaimer, and new claims 22-26 have been added. Accordingly, claims 1-3, 5, 7-9, 13, 17-19, and 22-26 are currently pending in the present application.

II. Claim Amendments

Claim 1 has been amended to incorporate the limitations of now canceled claim 4. No new matter has been added by way of this amendment.

Claim 3 has been rewritten in independent form including the limitations of original base claim 1. No new matter has been added by way of this amendment. Accordingly, claim 3, as amended, is now allowable.

Claim 5 has been rewritten in independent form including the limitations of original base claim 1. No new matter has been added by way of this amendment. Accordingly, claim 5, as amended, is now allowable.

Claim 7 has been amended to depend from claim 3. No new matter has been

added by way of this amendment. Accordingly, because claim 3 is now allowable, claim 7, which now depends from claim 3, is allowable for at least the same reasons.

Claim 8 has been amended to depend from claim 3. No new matter has been added by way of this amendment. Accordingly, because claim 3 is now allowable, claim 8, which now depends from claim 3, is allowable for at least the same reasons.

Claim 9 has been amended to depend from claim 5. No new matter has been added by way of this amendment. Accordingly, because claim 5 is now allowable, claim 9, which now depends from claim 5, is allowable for at least the same reasons.

Claim 13 has been amended to depend from claim 7. No new matter has been added by way of this amendment. Accordingly, because claim 7 is now allowable, claim 13, which now depends from claim 7, is allowable for at least the same reasons.

Claim 17 has been amended to incorporate the limitations of now canceled claim 20. No new matter has been added by way of this amendment.

Claim 19 has been rewritten in independent form including the limitations of original base claim 17. No new matter has been added by way of this amendment. Accordingly, claim 19, as amended, is now allowable.

Claim 21 has been rewritten in independent form including the limitations of original base claim 17. No new matter has been added by way of this amendment. Accordingly, claim 21, as amended, is now allowable.

III. New Claims

Support for new claim 22 may be found, for example, in original claim 2. Accordingly, because claim 3 has been shown to be allowable as discussed above, new

claim 22, which depends from claim 3, is allowable for at least the same reasons.

Support for new claim 23 may be found, for example, in original claim 2. Accordingly, because claim 5 has been shown to be allowable as discussed above, new claim 23, which depends from claim 5, is allowable for at least the same reasons.

Support for new claim 24 may be found, for example, in original claim 4. Accordingly, because new claim 22 is allowable as discussed above, new claim 24, which depends from new claim 22, is allowable for at least the same reasons.

Support for new claim 25 may be found, for example, in original claim 5. Accordingly, because new claim 22 is allowable as discussed above, new claim 25, which depends from new claim 22, is allowable for at least the same reasons.

Support for new claim 26 may be found, for example, in original claim 4. Accordingly, because new claim 23 is allowable as discussed above, new claim 26, which depends from new claim 23, is allowable for at least the same reasons.

IV. Rejection(s) Under 35 U.S.C § 103

Claims 1, 2, 4, 7, 17, 18, and 20 of the present application were rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent No. 0 634 291 A1 issued to Defieuw et al. (hereinafter “Defieuw”). By way of this reply, claims 4 and 20 have been canceled, and therefore, the rejection of these claims is now moot. Further, by way of this reply, claim 7 has been amended to now be allowable, and therefore, the rejection of this claim is also now moot. With respect to claims 1, 2, 17, 18, and 20, this rejection is respectfully traversed for the reasons set forth below.

The present invention is generally directed to heat-resistant films capable of being

used as a thermal transfer recording medium. As shown in the exemplary embodiment of the present invention shown in Figure 1 of the present application, a heat-resistant film 1 includes a film substrate 2 and a heat-resistant slip layer 3. *See* Specification, page 10, lines 5 – 8. The heat-resistant slip layer 3 includes a binder and a slip additive and is disposed on one surface of the film substrate 2. *See* Specification, page 10, lines 5 – 8.

The slip additive is formed of a relatively high fatty acid metal salt composition composed of a metal salt of a relatively high fatty acid and a free relatively high fatty acid. *See* Specification, page 10, lines 9 – 11. Such a slip additive provides good heat-resistivity and slipperiness to the heat-resistant slip layer 3 even in relatively small amounts. *See* Specification, page 10, lines 12 – 14. In addition, such a slip additive improves the solution stability of a coating composition that is used to form the heat-resistant slip layer 3. *See* Specification, page 10, line 14 – page 11, line 1.

The amount of slip additive in the heat-resistant slip layer 3 is preferably from 3 to 9 parts by weight with respect to 100 parts by weight of the binder in the heat-resistant slip layer 3. Accordingly, amended independent claims 1 and 17 of the present application require that the amount of slip additive be 3 to 9 parts by weight with respect to 100 parts by weight of the binder.

Defieuw, in contrast to the present invention, fails to disclose all the limitations recited in amended independent claims 1 and 17 of the present application. Defieuw is directed to a thermal dye transfer technique that uses a heat-resistant layer having a binder and salts of fatty acids. *See* Defieuw, page 3, lines 8 – 18. However, Defieuw is completely silent as to an amount of a slip additive composition formed of the salts of fatty acids (and the corresponding acids, *see* Defieuw, page 3, lines 42 – 44) present in

the heat-resistant layer with respect to the amount of binder in the heat-resistant layer. *See, e.g.*, Defieuw, page 6, lines 36 – 40 (generally stating that the binder and salt of a fatty acid are added together without any indication of amounts added). Therefore, Defieuw necessarily cannot expressly disclose, and does not even suggest, the presence in a heat-resistant layer of an amount of slip additive in an amount of 3 to 9 parts by weight with respect to 100 parts by weight of the binder as expressly required by amended independent claims 1 and 17 of the present application. Further, Defieuw is altogether silent as to a high fatty acid metal salt composition formed of a high fatty acid in an amount of 3 to 30% by weight of the composition as required by amended independent claims 1 and 17 of the present application.

The configuration of the slip additive in the heat-resistant film as recited in amended independent claims 1 and 17 of the present application provides a heat-resistant film with improved solution stability, excellent high-resistivity, and slipperiness together even when the amount of slip additive in the heat-resistant film is relatively small. Defieuw, on the other hand, fails to disclose or teach achieving these features of a heat-resistant layer by using a slip additive as recited in amended independent claims 1 and 17 of the present application.

In view of the above, Defieuw fails to show or suggest the present invention as recited in amended independent claims 1 and 17 of the present application, and therefore, cannot render the claimed invention obvious. Thus, amended independent claims 1 and 17 of the present application are patentable over Defieuw. Dependent claims 2, 18, and 20 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

V. Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03310.025001).

Respectfully submitted,

Date: 12/5/03

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